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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA

MONROE DIVISION

THE TURFGRASS GROUP, INC. AND : DOCKET NO. 3:10-1354  
UNIVERSITY OF GEORGIA  
RESEARCH FOUNDATION, INC.

VS. : JUDGE TRIMBLE

NORTHEAST LOUISIANA TURF : MAGISTRATE JUDGE HAYES  
FARMS, LLC AND JEFFREY  
CLIFTON NICOLLE,  
INDIVIDUALLY

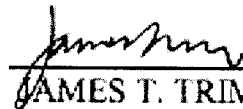
**JUDGMENT**

Pursuant to the Memorandum Ruling of this date,

**IT IS ORDERED, ADJUDGED AND DECREED** that the motion for summary judgment is hereby **GRANTED** in part and **DENIED** in part. The motion is granted to the extent that the court finds that defendants, Jeffrey Nicolle and Northeast Louisiana Turf Farms, LLC violated the Plant Variety Protection Act by orally representing that the turfgrass sold by NLTF was TifBlair, selling four (4) pallets of sod represented as TifBlair, planting without permission or authorization 30 pounds of TifBlair seed and selling said seed without the requisite notice in violation of the PVPA; the court further finds that defendants violated the Lanham Act by making a false, deceptive or misleading representation of fact about TifBlair and by using the trademark TifBlair in violation of 15 U.S.C. § 1114(1); the motion is further granted to the extent that defendants, Jeffrey Nicolle and Northeast Louisiana Turf Farms, are permanently enjoined from infringing on plaintiffs' proprietary turfgrass, TifBlair, without express written permission from either The Turfgrass Group, Inc. and/or the University of Georgia Research Foundation, Inc.; defendants, Jeffrey Nicolle and Northeast

Louisiana Turf Farms are permanently enjoined from making any false or deceptive designations of TifBlair. In all other respects the motion for summary judgment is denied.

THUS DONE AND SIGNED in Chambers at Lake Charles, Louisiana, this 30th day of September, 2014.

  
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JAMES T. TRIMBLE, JR.  
U.S. DISTRICT JUDGE